Docket No.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Toshio KIMURA, et al.

SERIAL NUMBER: 09/965,863 ATTN: APPLICATION BRANCH

FILING DATE: October 1, 2001

FOR: SEMICONDUCTOR LASER MODULE AND METHOD OF MAKING THE SAME

## FILING OF DECLARATION UNDER 37 CFR 1.53(f)

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated October 24, 2001, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Bradley D. Lytle

Attorney of Record

Registration No. 40,073

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NO. 360

Declaration and Power of Attorney For Patent Application

及び委任状 apanese Language Declaration

日本語宣言書

| 下記の氏名の発明者として、私は以下の通り宣言します。  | As a below named inventor, I hereby declare that:  |  |
|---|--|--|
| 私の住所、私会箱、国籍は下記の私の氏名の後に記載された週<br>りです。  | My residence, post office address and citizenship are as stated next to my name.   |  |
| 下記の名称の発明に関して諸求範囲に記載され、将許出願している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者(下記の名称が複数の場合)であると信じています。 | I believe I am the original, first and sole inventor (if only or name is listed below) or an original, first and joint inventor plural names are listed below) of the subject matter which claimed and for which a patent is sought on the invention entitled.  SEMICONDUCTOR LASER MODULE AND METHOD OF MAKING THE SAME |  |
| 上記発明の明細書は、 □ 本書に添付されています。 □月日に提出され、米国出願番号または特許協定条約国際出願書号をとし、 (該当する場合)に訂正されました。                        | the epecification of which  is attached hereto.  was filed on October 1, 2001 attorney docket 213483US-8 as United States Application Number or  PCT International Application Number  09/965,863 and was amended on  (if applicable).   |  |
| 私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容<br>を理解していることをここに表明します。   | I hereby state that I have reviewed and understand the contents of the above identified specification, including the   |  |

私は、連邦規則法典第37編第1衆56項に定義されるとおり、特許 資格の有無について重要な情報を開示する義務があることを認 めます。

claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

APR. 25. 2002 6:45PM 6th R. MECH. & ELEC.

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## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条 (a) - (d) 項又は365条 (b) 項に 盛づき下記の、米国以外の国の少なくとも一ヵ国を指定してい る特許協力条約365 (a) 項に基づく国際出願、又は外国での特 許出願もしくは発明者証の出願についての外国優先権をここに 主張するとともに、優先権を主張している、本出願の前に出願 された特許または発明者証の外国出願を以下に、枠内をマーク することで、示しています。

Prior Foreign Application(s) 外国での先行出願

| 2000-299638 | JAPAN     |
|-------------|-----------|
| (Number)    | (Country) |
| (番号)        | (国名)      |
| (Number)    | (Country) |
| (雷号)        | (图名)      |

私は、第35編米因法典119条 (e) 項に基づいて下記の米因特許 出願規定に記載された権利をここに主張いたします。

(Application No.) (出風魯号) (Filing Date) (出題日)

私は、下記の米國法典第35編120条に基づいて下記の米國特許 出願に記載された権利、又は米国を指定している特許協力衆約 365条(c)に基づく権利をここに主張します。また、本出願の各 請求範囲の内容が米國法典第35編112条第1項又は特許協力条約で 規定された方法で先行する米國特許出頭に関示されていない限 り、その先行米国出願審提出日以降で本出願審の日本国内また は特許協力条約国際提出日までの期間中に入手された、連邦規 則法典第37編1条56項で定義された特許資格の有無に関する重要 な情報について開示義務があることを認識しています。

> (Application No.) (出願語号)

(Filing Date) (出願日)

(Application No.)
(出願番号)

(Filing Date) (出版日)

私は、私自信の知識に基づいて本宣言書中で私が行なう表明が 実実であり、かつ私の入手した情報と私の信じるところに基づ く表明が全て真実であると信じていること、きらに故意になされた最偽の發明及びそれと同等の行為は米国法典第18編第1001 条に基づき、罰金または拘棄、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、 出願した、又は既に許可された特許の有効性が失われることを 認識し、よってここに上記のことく宣誓を致します。

I hereby claim foreign priority under Title 35. United States Code, Section 118 (a)-(d) or 385(b) of any foreign application(s) for patent or inventors certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application heving a filing date before that of the application on which priority is claimed.

|   | Prionty Claimed<br>優先權主張 |                     |
|---|--------------------------|---------------------|
| 29/09/00<br>(Day/Month/Year Filed)<br>(出度年月日) | 区<br>Yes<br>はい           | □<br>No<br>いいえ<br>□ |
| (Day/Month/Year Filed)<br>(出願年月日)             | Yes<br>はい                | No<br>いいえ           |

I hereby claim the benefit under Title S5, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号) (Filing Date) (出曜日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States r PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.66 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned) (現況:特許許可濟、係属中、放築資)

(Statue: Patented, Pending, Abandoned) (現況:特許許可濟、係屆中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all etatements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful talse statements may jeopardize the validity of the application or any patent issued thereon.

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→→⇒ フルカワ チバ **ムトカサ**゙ ワトッキョジ ムショ APR. 25. 2002 6:45PM 6th ... MECH. & ELEC. NO. 360

## Japanese Language Declaration (日本器宣言書)

受任状:私は下記の発明者として、本出願に関する一切の手続き を米特許商標局に対して遂行する弁理士または代理人として、 下記の管を指名いたします。

(弁護士、または代理人の指名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named Inventor, I hereby appoint the following attorney(s) and/ r agent(s) to pr secute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)



在假送付先

Send Correspondence to:



022850

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

(703) 413-3000

| 単独発明者または第一の共同発明者 | の氏名 | Full name of sole or first joint inventor  Toshio KIMURA—   |
|------------------|-----|---|
| 発明者の署名           | 日付  | Inventor's signature Date Toshio fun May 7, 2002  |
| 住所               |     | Residence<br>Chiyoda-ku, Japan  |
| <b>国籍</b>        |     | Citizenship Japan   |
| 郵便の宛先            |     | Post Office Address c/o The Furukawa Electric Co., Ltd. 6-1, Marunouchi 2-chome Chiyoda-ku, Tokyo 100-8322, Japan |
| 第二の共同発明者の氏名      |     | Full name of second joint inventor, if any Sadayoshi KANAMARU   |
| 第二の共同発明者の警名      | 日付  | Second joint Inventor's signature  Date  May 7, 2002  |
| 住所               |     | Residence Chiyoda-ku, Japan   |
| 因籍               |     | Citizenship<br>Japan  |
| 郵便の宛先            |     | Post Office Address c/o The Furukawa Electric Co., Ltd. 6-1, Marunouchi 2-chome Chiyoda-ku, Tokyo 100-8322, Japan |

(第三以降の共岡発明者についても同様に記慮し、署名すること)

(Supply similar information and eignature for third and subsequent joint inventors.)

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Japanese Language Declaration (日本語宣言書)

|             | `-       |  |
|-------------|----------|--|
| 第三の共同発明者の氏名 |          | Full name of third joint inventor, if any<br>Tomoya KATO     |
| 第三の共同発明官の寄名 | 日付       | Third Joint Inventor's signature  Tomesa Kato  May 7, 2002.  |
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| 第四の共同発明者の氏名 |    | Full name of fourth joint inventor, if any |  |
|-------------|----|--|--|
| 第四の共同発明者の署名 | 日付 | Fourth joint Inventor's signature Date     |  |
|             |    | Residence                                  |  |
| <b>因籍</b>   |    | Citizenship                                |  |
| 郵便の発先       |    | Post Office Address                        |  |

| Fifth joint Inventor's signature Date |
|---------------------------------------|
| Residence                             |
|                                       |
| Citizenship                           |
| Post Office Address                   |
|                                       |

| 第六の共同発明者の氏名 |    | Full name of sixth joint inventor, if any |          |
|-------------|----|---|----------|
| 第六の共同発明者の署名 | 日付 | Sixth Joint Inventor's signature          | Date     |
| <b>住</b> 所  |    | Residence                                 |          |
| <b>国報</b>   |    | Cittzenship                               |          |
| 郵便の宛先       |    | Post Office Address                       | <u> </u> |
|             |    |   |          |

(第六またはそれ以降の共同発明者に対しても同様な情 報および署名を提供すること。)

(Supply similar information and signature for third and subsequent joint inventors.)